

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: United States v. Behun
No. 23-cv-92

DATE: November 17, 2023

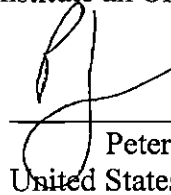
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A arraignment in this matter was held on September 27, 2023 (ECF No. 26). During the hearing, the Court requested that the Pretrial Services and Probation Officer assigned to Behun's case review his tax returns for purposes of advising the Court as to whether a Contribution Order should be entered in this case. Counsel for Behun represented that Probation could not access his tax returns without his consent, and that it would be inappropriate for the Court to order otherwise. The Court requested that the parties brief the issue before Behun's sentencing hearing, which is now scheduled for January 30, 2024.

The Court reiterates its request that the parties brief the tax-return disclosure issue and, accordingly, **ORDERS**:

1. Counsel for Behun **SHALL** file, within the next thirty (30) days, a brief stating the factual and legal grounds supporting their position that Behun's consent is necessary before Probation and the Court may obtain and consider his tax returns;
2. Counsel for the Government **SHALL** file a response within fourteen (14) days thereafter; and
3. Counsel for Behun **MAY** file a reply within seven (7) days thereafter.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.



Peter J. Messitte
United States District Judge

CC: Court file
Counsel of Record